

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ENZON PHARMACEUTICALS, INC.,

Plaintiff,

v.

PHOENIX PHARMACOLOGICS, INC.,

Defendant.

Civil Action No. 04-1285-GMS

ORDER

At Wilmington this ____ day of _____, 2005, having considered Plaintiff Enzon Pharmaceuticals, Inc.'s Motion to Strike Defendant's Affirmative Defenses, and the parties' arguments and papers thereon, IT IS HEREBY ORDERED that the motion is granted as follows:

The Affirmative Defenses in Phoenix Pharmacologics, Inc.'s answer to Enzon's Amended Complaint are insufficient under Fed. R. Civ. P. 8 and are hereby stricken pursuant to Fed. R. Civ. P. 12(f).

United States District Judge